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## **COUNTY OF KINGS**

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## **DEPARTMENT OF PUBLIC HEALTH**

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August 28, 2006

California Environmental Protection Agency  
Unified Program Section  
1001 I Street, 4<sup>th</sup> Floor  
Sacramento, CA 95814  
Attn: Tina Gonzales

### **Re: Quarterly Report of Progress – Kings County CUPA**

This letter is in response to an Evaluation Team request for a quarterly written report on progress made to correct deficiencies noted in the most recent CUPA Evaluation Report dated April 5, 2005. The following comments will serve as a progress report in response to the 4 deficiencies noted in the Summary of Findings section of the report:

#### ***Deficiency #1 – The CUPA inspection frequencies are not being met for the Hazardous Waste and Business Plan programs.***

No change has occurred since our previous progress report dated June 12, 2006. The recently approved EHS budget for FY-2006-07 did not include new inspection staff positions and it is unlikely that any future positions will be approved without additional outside funding sources.

Final inspection totals for FY 2005-06 show 193 inspections completed in the business plan program and 102 inspections completed in the hazardous waste generator program. While this is up considerably from the inspection numbers of the previous two years, it continues to fall slightly below the 218 and 122 inspections respectively needed to meet mandated and/or stated triennial inspection goals for these two programs.

#### ***Deficiency #2 – The CUPA has had some problems with Federal facilities that pay their UST fee, but not the business surcharge every year. The CUPA will need to work with the Federal Agencies to collect the mandatory business surcharge required each year.***

As stated in our previous response, this is not a local issue and should not be identified as a deficiency on the report. This is a statewide issue between Cal-EPA and Federal military facilities that goes back many years and needs to be resolved by Cal-EPA. While we will continue to include the surcharge fees on our annual billing to Lemoore Naval Air Station, we will not take additional measures to collect the disputed surcharges until such time as the issue is settled by Cal-EPA.

***Deficiency #3 – Cal-EPA was provided with a copy of the most recent Self Audit only.***

This was corrected in our June 12, 2006 response by forwarding a copy of our most recent (FY 2004-05) self audit narrative. Our FY 2005-06 self audit and narrative reports that are due by September 28, 2006 are currently being compiled and we will forward a copy to the evaluation team when completed.

***Deficiency #4 – In reviewing the Summary Reports, it was hard to see what enforcement was accomplished as most notices had been informal and thus not tracked on the data system.***

As explained in our previous response, this deficiency has been corrected by moving to an automated violation tracking system as part of the Envision Field Inspection System (FIS) module. We began using the new FIS on March 1, 2006. All inspections are now conducted electronically using tablet PCs. Electronic violation records are entered into the database automatically when the field units are synchronized with the consolidated database in the office.

Sincerely,

Tim L. Fillmore, REHS  
Supervising Environmental Health Officer